

**MINUTES
PLANNING BOARD
TOWNSHIP OF CHATHAM
July 25, 2016**

Mr. Thomas Franko called the meeting of the Planning Board to order at 7:32 P.M.

Adequate notice of the meetings of the Planning Board of the Township of Chatham was given as required by the Open Public Meetings Act as follows: Notice in the form of a Resolution setting forth the schedule of meetings for the year 2016 and January, 2017 was published in the *Chatham Courier* and the *Morris County Daily Record*, a copy was filed with the Municipal Clerk and a copy was placed on the bulletin board in the main hallway of the Municipal Building.

Roll Call

Answering present to the roll call were Mr. Franko, Mr. Hurring, Mrs. Swartz, Mr. Brower, Ms. Hagner, Mr. Travisano, Mr. Nelson and Mr. Murray. Mrs. Swartz arrived a couple minutes late. Mr. Ciccarone and Mr. Sullivan were absent.

Also present were Township Engineer John Ruschke, Township Planner Frank Banisch and Amanda C. Wolfe, Esq.

Approval of Minutes

Mr. Nelson moved to approve the minutes of the July 11, 2016 meeting. Mr. Hurring seconded the motion, and it carried unanimously.

Hearing

Plan: 16-9-1 (March 21, 2016) Longview at Chatham, LLC, Longview Ave, Block 9, Lots 1 & 1.01, Block 32 Lot 2, Block 33 Lots 1, 1.01, 1.02, 14, 14.01, 17 & 20. Variance relief from certain conditions contained in June 4, 2012 Prior Planning Board Approval and Engineering conditions detailed in review dated January 29, 2016.

Attorney Steven Schaffer, representing the applicant, said that there are three topics on which testimony will be offered at this meeting. The first is the landscaping plan for the eastern lots, particularly in regard to the two methodologies for the performance of the work. The second topic is the detention basin. The third topic is the geoweb plans for Mountainside Drive.

Mr. Schaffer also noted that the driveway at the Goldfield's residence was corrected, and he believes that the Goldfields have been satisfied. Mr. Ruschke asked that a survey of the driveway be submitted. Mr. Schaffer said that the Blumenthal's driveway is still at 18.6%, and the Blumenthal's have signed an agreement accepting that grading.

The retaining wall in the eastern cul-de-sac has been moved to the previously approved location. The eastern lots will not be disturbed any further. Mr. Schaffer further noted that the portion of

the application regarding the detention basin involves a design waiver rather than a variance. A design waiver is also requested for the additional utility pole.

Mr. Schaffer noted that the trees in the landscaping plan are not on the prohibited list in the tree protection ordinance. Five of the proposed trees are on the recommended planting list. He also said that the plan is to plant trees that will complement those which are already there.

Mr. Fonseca of Primavera was recalled to provide additional testimony. Mr. Fonseca described the plan to perform landscaping by hand on the eastern lots. He also described the proposed irrigation system to be used. Mr. Fonseca further described the machine which will be used to perform clearing of brush, and he compared it to a lawnmower. Mr. Brower asked about the addition of blueberry bushes. Mr. Schaffer said that the inclusion of blueberry bushes is on the landscape plan, but that can be altered. Ms. Hagner noted that there will be some surface disturbance in order for the work to be performed, but that would result in the lot being more manicured. Mr. Ruschke said that landscaping plans for the remaining eastern lots will be submitted to the Township during the lot grading process, and they will be similar in nature to the current proposal.

Mrs. Mahle-Greco was recalled to give additional testimony. A slope stabilization plan for Mountainside Drive was submitted as Exhibit A-17. The shoretec, landscaping and geoweb areas of the slope were pointed out. Mrs. Mahle-Greco said that the geoweb will have a 2x2 anchor pattern. Mrs. Mahle-Greco also said that the slope has been calculated to be a 37 degree angle, however the plan has been developed for a worst-case scenario of 45 degrees. The webbing will be filled with topsoil and a seed mixture. A noncorrosive anchor and fiber mesh will be used for a longer lifespan. Mr. Brower raised a concern about storms washing out the topsoil and seed mixture, and he asked that repairs be made should that occur. Mr. Murray asked that the geoweb be installed by a licensed installer. Mr. Schaffer said that the developer will be responsible for the geoweb until all new homes are sold, at which time responsibility would defer to the homeowner's association.

Mr. Ruschke commented on the contours of the Mountainside Drive slope. He also suggested that the installer of the geoweb be approved by the manufacturer. Mr. Ruschke also recommended that a completion date of October 15th be required.

Mr. Franko opened the floor to the public.

1. Martin Blumenthal, 99 Long View Ave, asked if the landscaping plan has been accepted. Mr. Franko said that it has not yet formally been accepted.

There being no further questions from the public, the public hearing was closed.

Mr. Schaffer said that the proposal regarding the detention is changing to include a second geogrid friction liner. Regrading will be done to address and meet the required safety factor. Mr. Brower asked about the friction between the liner and the geogrid. Mr. Ruschke said that the grid would be installed on top of the smooth surface, and the system will have anchors which will hold things in place. The grid would serve the purpose of adding additional friction.

Mrs. Mahle-Greco addressed the calculation of the safety factor. Mr. Schaffer asked about the soil testing that was performed. Mrs. Mahle-Greco said that prior calculations were based on similar soils. The existing soil on the site will be used when installing the geogrid in the detention basin. Mrs. Mahle-Greco also suggested that she and someone from Mr. Ruschke's office conduct a survey at the site to identify problem areas, and someone from Mr. Ruschke's office can also be there to verify that the geogrid is installed correctly. Mr. Franko said that the resolution will include an inspection protocol, and Mr. Schaffer asked that Mr. Ruschke's office also approve the inspection protocol.

Mr. Hurring asked if Mr. Ruschke would like to see milestone dates with the detention basin. Mr. Ruschke said that a detailed construction plan should be submitted. He also suggested that the resolution set dates but also give him latitude in issuing summonses should there be delays due to circumstances beyond the applicant's control. Mr. Schaffer said that he is reluctant to commit to a date and have it not be met. Mr. Ruschke noted that the detention basin should have been completed before any other work was done. He suggested including a requirement that the detention basin be complete by the end of the year.

Mr. Ruschke asked if soil erosion matting will be installed during the work on the detention basin. Mrs. Mahle-Greco said that it will be used, and some areas may need to be regraded.

Mr. Schaffer proposed that an extension be granted for the final paving of the road. Mr. Ruschke said that the original resolution requires final paving in 2017 after the completion of the final house. He suggested that an extension of five years be granted.

Mr. Schaffer provided a recap of variances as listed in a memorandum from Mr. Ruschke dated May 26, 2016. He also noted the design waiver for the detention basin. Mr. Ruschke said that street trees can be installed as the project moves along, and streetlights will need to be installed prior to the issuance of CO's.

Mr. Franko asked if there were any questions or comments from the public. Seeing none, Mr. Franko closed the public hearing.

Ms. Hagner moved to draft a resolution based on the proposed variances, design waivers and other conditions discussed during the hearing and through memoranda. Mr. Murray seconded the motion.

Mr. Ruschke said that the landscaping plan gives the developer the latitude to enhance the landscaping on the eastern lots.

Mrs. Swartz asked if there can be a line-item veto when the resolution is memorialized. Ms. Hagner said that there cannot be a complete change from what is being discussed, and the Board will have an opportunity to review the resolution before action is taken. Mrs. Swartz said that she would like to see the draft resolution before any votes are taken.

The proposed draft resolution will be discussed at the August 15th Planning Board meeting.

Mr. Trivisano asked how much of a departure regarding the safety factor the geogrid would be from the originally approved plan. Mrs. Mahle-Greco said that there will be a safety factor of 1.6, and the industry standard is 1.5. She also said that the geogrid increases the safety factor.

Mr. Brower reiterated Mr. Ruschke's earlier point that the detention basin should be completed before any other work is performed on the site. Mrs. Swartz said that if the detention basin needs to do more than it is currently capable of doing, then it is important for it to be properly constructed. She also suggested that the detention basin be handled in a separate resolution. Mr. Schaffer said that requiring the detention basin to be complete before any other work is done will drag out the remainder of the project. Ms. Hagner said that the work can be done concurrently. Mr. Ruschke said that it is critical to have a sequence of construction.

A straw poll was conducted to assess if the Board members want to authorize counsel to move forward with drafting a resolution for consideration at the next meeting. Consensus was to move forward with drafting the resolution.

Ms. Hagner withdrew her earlier motion.

Ms. Hagner moved to adjourn at 9:38 PM. Mr. Hurring seconded the motion, and it carried unanimously.

Gregory J. LaConte
Planning Board Recording Secretary